

**JUDGE COLE** UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK **08 CV 5460**

CIBC INC. and  
CIBC WORLD MARKETS CORP.

Plaintiff,

-v-

THE UPPER DECK COMPANY

Defendant.

Case No. \_\_\_\_\_

**Rule 7.1 Statement**

Pursuant to Federal Rule of Civil Procedure 7.1 [formerly Local General Rule 1.9] and to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for

CIBC INC.

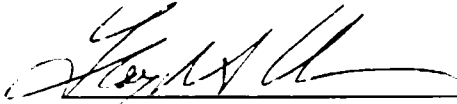
(a private non-governmental party)

certifies that the following are corporate parents, affiliates and/or subsidiaries of said party, which are publicly held.

CANADIAN IMPERIAL BANK OF COMMERCE ("CIBC"), the parent corporation, is traded on the Toronto Stock Exchange and the New York Stock Exchange, under the symbol CM.

Date:

6/17/08

  
Signature of Attorney

Attorney Bar Code: LC-8385